

**REMARKS**

In accordance with the above amendments, claims 34-35 (2 claims) have been canceled, claims 27, 28, 36 have been amended and new claims 37-40 (4 claims) have been added. Thus, claims 22-33 and 36-40 remain in the application.

The first full paragraph on page 6 has been rewritten to correct an obvious error and make the description consistent with original claims.

The first full paragraph on page 9 has been rewritten to overcome a typographical error.

Pursuant to an election/restriction requirement, applicants have been required to elect between the following claims:

Group I containing claims 22-27 and 34-36; and

Group II containing claims 28-33.

Applicants made a provisional election of Group I prior to this Action with traverse. It is believed that all the present claims are sufficiently closely related that they should be examined together.

In conjunction with the present Action, it is noted that applicants have also been required to include selection of a species having or not having dibutylphthalate (DBP). In conjunction with the election of a species, it is noted that claim 27 requires DBP and claim 28 does not. In conjunction with the election of species, the applicants desire to elect the species without DBP, however, the Examiner has also indicated

that claims 28-33 have been withdrawn from consideration. This inconsistency is not understood.

Applicants have added new claim 37 which is believed to be generic and which is also believed to patentably distinguish over the cited references. In addition, claims 27, 28 and 36 have been amended to require the nitrocellulose to have a nitrogen content of 13.15% N or above in all cases. The references to % N refer to weight % based on an average number of NO<sub>2</sub> groups. The determination is well known to those skilled in the art. In claim 27, the material from claim 36 regarding the non-energetic plasticizer has been incorporated from claim 36. Actually, that claim 27 did not depend from claim 36, but incorporated material from it as an independent claim.

It is believed that the amendments to the claims overcome all the rejections under 35 USC § 112 raised by the Examiner and it is respectfully requested that these rejections be withdrawn.

With respect to the rejections on the merits, none of the references recognize or suggest that the plasticizers of the present invention have particular significance with respect to plasticizing high nitrogen nitrocellulose which is insoluble in the conventional solvent for nitrocellulose (ether), but which is readily disbursed by the plasticizers of the invention in combination with acetone. Thus, the plasticizers of the present invention are particularly significant for nitrocellulose that is insoluble in ether and it is this combination in a single base

propellant that is the subject of new independent claim 37. The significance of this remains unrecognized by the prior art. Support for the new claims is found throughout the specification. For claim 42, see page 9, lines 9-17, for example.

Reconsideration and allowance of the present claims are respectfully requested.

Respectfully submitted,

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#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Amendment in response to the Official Action of September 22, 2005, and a Transmittal Letter in application Serial No. 09/673,230, filed on October 12, 2000, of William J. Worrell, Jr. et al, entitled "DINITROTOLUENE (DNT)-FREE SINGLE BASE PROPELLANT" are being sent by facsimile transmission to: The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, postage prepaid, on December 22, 2005.



Barbara L. Davis  
Secretary to C. G. Mersereau  
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Date of Signature: December 22, 2005